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Amendment D

UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas W. Meyer et al

Serial No. 09/389,942 (RCE)

Art Unit: 2154

Filed: September 3, 1999

Examiner: Ingberg, Todd D.

For: PROCESS OF AND SYSTEM FOR SEAMLESSLY EMBEDDING
EXECUTABLE PROGRAM CODE INTO MEDIA FILE FORMATS SUCH
AS Mp3 AND THE LIKE FOR EXECUTION BY DIGITAL MEDIA
PLAYER AND VIEWING SYSTEMS

Commissioner for Patents
Mailstop: Amendments
PO Box 1450
Arlington, VA 22313-1450

Dear Sir:

Replying to the Office communication of November 22, 2004, please
amend the specification to correct typographical errors as follows, and please
amend the claims as follows:

order to make this even more evident— applicants have amended all the claims specifically to make clear applicants' novel embedding of

“interactive and traditional advertising, merchandising materials, e-commerce solicitations and messages, polls, complete videogames, interactive music and audio/video programs, and complete computer programs”,

impossible with the reference systems and precisely descriptive of applicants' achievement in the language earlier approved by the Office as of patentable weight in granting applicants' U.S. Patent 6,748,362 as definitive over such prior art.

Applicants agree with the Office that the Moniterio et al, Wolfe et al, Martin, and the patent to Washberg et al also do not anticipate the invention of this application.

Reconsideration and allowance of all the rejected claims therefore appear to be proper, and such action is respectfully requested.

Any costs required by this filing, including for any required reply time extensions, petition for which is hereby made, may be charged to Deposit Account No. 18-1425 of the undersigned attorneys.

Very respectfully,

RINES AND RINES

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